



Improving lives THROUGH
supports and services
THAT FOSTER self-determination.

Prohibited Procedures

**Doesn't matter what you call these,
you can't use them in Missouri**

June 2021

9 CSR 45-3.090 Behavior Supports

TIME OUT

- Effective July 1, 2021, secluding a person alone in a location for a period of time set by someone other than the person themselves is a prohibited practice. It cannot be used as a programmatic or emergency intervention. If it is found to have been used following this date a special review and follow up actions will be completed led by the Area Behavior Analyst. Time out was established as a prohibited practice in the Medicaid Waiver Application, July 1, 2021. For more information you may contact your [Area Behavior Analyst](#).

There are other prohibited procedures

- They have been established for more than a decade in directive and CSR.

Other Prohibited Procedures

- Prone restraints (on stomach); restraints positioning the person on their back supine, or restraint against a wall or object;
- Restraints which involve staff lying/sitting on top of a person;
- Restraints that use the hyperextension of joints;
- Any technique or modification of a technique (*system*) not been approved by the Division with Division-approved training for implementer;
- **Mechanical restraints; (see definition in rule)**

Other Prohibited Procedures continued



- Any strategy that may exacerbate a known medical or physical condition, or is medically contraindicated, or endangers the individual's life;
- Any techniques that interfere with breathing or any that covers the individual's face;
- Use of any reactive strategy or restrictive intervention on a "PRN" or "as required" basis; *(you can not have a standing order to use whenever necessary)*
- Standing orders for use of restraint procedures not part of a comprehensive safety crisis plan;

Other Prohibited Procedures continued



- Any procedure used as punishment, for staff convenience, or as a substitute for engagement, active treatment or behavior support services;
- Use of law enforcement or emergency departments incorporated into individual support plans or behavior support plans as contingencies to eliminate or reduce problem behaviors;
- Reactive strategy techniques administered by other individuals who are being supported by the agency;

Other Prohibited Procedures continued



- Corporal punishment or use of aversive conditioning
- Overcorrection strategies;
- Placing persons in totally enclosed cribs or barred enclosures other than cribs; and
- Any treatment, procedure, technique or process prohibited by federal or state statute.

Which of the following are prohibited in Missouri?

- A. Any technique or modification of a technique (*system*) not been approved by the Division with Division-approved training for implementer
- B. Mechanical restraints
- C. Crisis Management curricula other than Mandt or NCI/CPI
- D. Any strategy that may exacerbate a known medical or physical condition, or is medically contraindicated, or endangers the individual's life
- E. Any techniques that interfere with breathing or any that covers the individual's face

Which of these is probably an example of a mechanical restraint?

- A. Locking doors to the outside for the purpose of keeping the person in the building when the person can not operate the locking mechanism
- B. taking crutches away from a person who needs them to walk
- C. taking power mechanism from wheelchairs
- D. special seat belts on the wheel chair that cannot be removed by the individual
- E. All of the above
- F. B, C and D

Which of the following is considered seclusion time out and so prohibited?

- A. A room that is a person is put in when dangerous behavior occurs and kept in until they appear calm
- B. A room called a snoozlen room that is used by staff for out of control behavior and the person is kept there until calm
- C. Asking a person to go to their bedroom to calm down, and implying they should stay or telling them to stay there until you decide they are calm
- D. Taking all other people out of a room when someone is upset, and keeping the upset person in the room, alone, for 15 minutes

Which of the following is true?

- A. As long as you don't call it time out you can use a room to hold a person inside it, alone, until you think they are safe to come out
- B. If you are keeping a person in their bedroom until you think they can interact appropriately you are using a time out procedure
- C. If a person is required to stay in the living room while staff and roommates cook dinner, it might be a time out procedure, and would be prohibited
- D. If a person chooses to go to their bedroom and stays there until they feel like being with others and there has been no suggestion made by staff and no implied requirement to do this, it is not considered time out

Review Process for Unauthorized Procedures:



- If use of prohibited or unauthorized procedures are discovered, the following occurs:
 - Regional Director is notified of the use of prohibited procedures, the agency involved, persons for whom the procedures were utilized, and reasons for use;
 - Regional Director directs regional staff and Area Behavior Analyst to conduct a focused review of the agency;
 - If the focused review confirms that prohibited or unauthorized procedures were used, the Regional Office Director will be informed and notify the provider and support coordinator;

Review Process for Unauthorized Procedures:



- Area Behavior Analyst works with planning teams to determine appropriateness of strategies and need for additional services to assist the provider to address the situations positively, proactively and preventatively;
- Area Behavior Analyst refers supports of individuals, for whom the prohibited practices have been used, to the BSRC; and
- Follow up reviews of the provider will occur, to ensure that appropriate procedures and supports are utilized and prohibited practices have been discontinued, for a duration determined by the Chief Behavior Analyst.



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